

Kim Smith CT-2162
1 Kelley DR.
Coal Township Pa. 17866-1021

Aug. 15, 2002

Mr Talaber
Assistant Counsel
Pa. Dept. of Correction
55 Utley Drive
Camp Hill Pa. 17011

FILED
SCRANTON

AUG 19 2002

PER  DEPUTY CLERK

In Re: Request to review medical record and any other reports
Civil Action No. 1:01-cv-00817

Dear Mr Talaber:

The reason for this letter is to advise your office that Ms. Dascani has not replied to my request to review the documents that you have claimed to have provided her office with. Also enclosed you will find the reply of the medical records office regarding my request to review medical records and take notes.

Would you please advise me when and if this will take place since you have informed the court that you have provided such for my review and had my claim for such determined moot because you claimed action was taken for me to review the records, as of this date I have not been given or provided with a chance to review the records and enclosed is a copy of what I'm being told. I would advise before you make false claims to the court it would be better for all that you make sure the claim that you claim to have been addressed has been taken care of so I do not have to repeatedly write request and letters to inform your office as well as the court that what you are claiming to have done is in error and that you have made a false claim as of Aug. 15, 2002 I have not been provided a chance to review any records at all, and this is hindering me in filing adequate motion to have my claim addressed.

Because of the claim that you made and the fact that I have not been provided with the records you have claimed or a chance to review such, the claim for discovery is not moot, and because of what you told the court in error or false claim an scantion in money damages should be imposed upon you for the false claim that you made as I have never been provided with a chance to review any record as you have claimed. And since the records are important and go to the condition of confinement this evidence is important to support the claim that has been present to the court.

Would you please advise me when and if I will be given achance to review the records, what are you affraid of that these records may contain evidence to support my claim of 8 th amendment violation and health care issues.

Sincerely

Kim Smith

Date

8-14-00

Proof of Service

I hereby certify that I Kim Smith CT-2162 this 14th day of Aug, 2002 turned over to D block officers a true and correct copy of this letter/petition to forward to institutional mail room to forward to the United States Postal Service to mail first class mail to the below listed parties, in compliance with Fed. Rules of Civil Pro.

Mary D'Andrea
Office of the Clerk
U.S. District Court
Middle District

John J. Talaber

James D. Young

CORRECTIONAL
OFFICE

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer), <i>Mr. K. Daccani</i>		2. Date: <i>8-9-02</i>	
3. By: (Print Inmate Name and Number) <i>Kim Smith CT2162</i> <i>Kim Smith</i> Inmate Signature		4. Counselor's Name <i>Mr. Mason</i>	
		5. Unit Manager's Name <i>Mr. Smith</i>	
6. Work Assignment <i>F/L</i>		7. Housing Assignment <i>D-2-19</i>	
8. Subject: State your request completely but briefly. Give details. <i>I was told by Mr. Palaker to contact you regarding receiving maintenance records and other information provided to you for my reviewing. In complying and contacted you about receiving such. Please advise me when and if this may take place.</i> <i>Thank You</i>			
9. Response: (This Section for Staff Response Only)			
<i>Mr. Smith</i> <i>I have not received the records from Mr. Palaker as of this date. As soon as I do, I will contact you</i>			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

Staff Member Name

K. Daccani
Print*K. Daccani*
Sign

Date

8/12/02

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer) <i>Medical Records Mr. A. Bull RHIT</i>		2. Date: <i>8-3-02</i>	
3. By: (Print Inmate Name and Number) <i>Kim Smith CT2162</i> <i>Kim Smith</i> Inmate Signature		4. Counselor's Name <i>Mr. Mason</i>	
		5. Unit Manager's Name <i>Mr. Smith</i>	
6. Work Assignment <i>F/S</i>		7. Housing Assignment <i>D-2-19</i>	
8. Subject: State your request completely but briefly. Give details. <i>Mr. Could you please tell me if the Corrections Counsel has contacted your office about providing me with a copy of certain medical record. It is my understanding that it would be provided with such. Could you please advise me.</i> <i>Thank You</i>			
9. Response: (This Section for Staff Response Only) <i>Mr. Smith</i> <i>I have not been given direction to release medical records to you.</i>			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

Staff Member Name

A. Dickson RHIT
Print*A. Dickson RHIT*
SignDate *August 8, 2002*